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Attorneys for Plaintiff
POWERSPEAKING, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

POWERSPEAKING, INC., a California
Corporation,

Plaintiff,

v.

PATRICIA SMITH-PIERCE, an
individual, POWER SPEAKING
CONSULTANTS, an unknown entity, and
DOES 1 through 20, inclusive,

Defendant.

CASE NO. C-08-00963 EMC

**DECLARATION OF NOELLE DUNN IN
SUPPORT OF PLAINTIFF
POWERSPEAKING, INC.'S REQUEST TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

I, Noelle Dunn, declare:

1. I am an attorney at law, duly licensed to practice before all courts of the State of California, and am an associate with the law firm of Hopkins & Carley, a Law Corporation, counsel of record for Plaintiff PowerSpeaking, Inc. (hereinafter "PowerSpeaking"), plaintiff in the above-entitled action. I make this declaration in support of PowerSpeaking's Request to Continue the Initial Case Management Conference. The facts set forth herein are true, based

1 upon my own knowledge, and if called upon to testify as a witness in this matter, I could and
2 would testify competently thereto.

3 2. The complaint in this matter was filed on or about February 14, 2008.

4 3. Service of the summons and complaint was postponed for several weeks while my
5 office invited defendant Patria Smith-Pierce and defendant Power Speaking Consultants
6 (“Defendants”) to enter into discussions aimed at finding a mutually acceptable resolution.

7 4. Through their attorney, William Niro, Defendants refused to enter into discussions
8 without a complete dismissal of the complaint.

9 5. When it became clear that the parties were not moving towards an amicable
10 resolution, PowerSpeaking proceeded with service of the complaint and summons.

11 6. My office has not yet received confirmation that service has been completed, but I
12 except that it will be completed within the next few days.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct and that this declaration was executed on this 1st day of May, 2008
15 at San Jose, California.

16
17 /s/
Noelle Dunn